

REMARKS

This response is submitted in reply to the Office Action dated August 1, 2008. Claims 1, 4, 9-25, 30, 33, 36, 37 and 39 currently stand rejected. Applicants respectfully traverse.

In light of the remarks presented below, Applicants respectfully request reconsideration and allowance of all now-pending claims of the present application.

Claim Rejections - 35 USC §103

The Office Action has rejected claims 1, 4, 9-25, 30, 33, 36, 37 and 39 under 35 U.S.C. §103 as being unpatentable over Breck et al. (U.S. Patent Application Publication No. 2004/0210449, hereinafter "Breck" (referred to in the Office Action as "Breck")) in view of U.S. Patent Application Publication No. 2006/0039564 to Rao. Applicants respectfully traverse for the reasons set forth below.

As an initial matter, Applicants respectfully note that the present application traces its priority through Application No. 0105265.3 filed in Great Britain on March 2, 2001. The date of invention of the claimed invention is therefore at least as early as March 2, 2001. Meanwhile, Rao was filed on October 11, 2005, which is after the date of invention of the present application. Notably, Rao is a continuation of PCT/US01/44034, filed on November 19, 2001, which is also after the date of invention of the present application. However, Rao also claims priority to Provisional Application No. 60/249,606, filed November 17, 2000. Thus, since Rao was filed after the date of invention of the present application, the extent to which Rao is prior art relative to the present application is limited to that which was disclosed in U.S. Provisional Application No. 60/249,606, which pre-dates the filing date of the priority application (GB Application No. 0105265.3).

However, an inspection of U.S. Provisional Application No. 60/249,606 reveals that the portions of Rao that are relied upon in the Office Action are not included in U.S. Provisional Application No. 60/249,606. For example, the passages in paragraphs [0043] to [0045] of Rao, which are relied upon by the Office Action in relation to disclosing a technique of carrying out an internal verification at a user equipment on the basis of an identification code that associates with the user equipment, find no support in U.S. Provisional Application No. 60/249,606.

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Moreover, FIG. 5 of Rao, which corresponds to the cited passage of Rao, is also not included in U.S. Provisional Application No. 60/249,606. Additionally, there is no mention of a “root certificate” anywhere in U.S. Provisional Application No. 60/249,606. Accordingly, at least with respect to the disclosure for which Rao is relied upon in the Office Action, Rao is not prior art relative to the present application and, in any case, the disclosure of U.S. Provisional Application No. 60/249,606 (the only portion of Rao that could be considered prior art) fails to cure the admitted deficiencies of Breck.

Since Breck admittedly fails to teach or suggest, “verifying internally at said user equipment on the basis of an identification code that associates with the user equipment” (see page 3 of the Office Action), Breck alone does not anticipate or render the claimed invention obvious. Given that the cited portions of Rao are not supported in U.S. Provisional Application No. 60/249,606, thereby rendering Rao improper for combination with Breck, and further given that U.S. Provisional Application No. 60/249,606 fails to cure the admitted deficiencies of Breck, Applicants respectfully submit that the claimed invention is patentable over Breck and Rao (or U.S. Provisional Application No. 60/249,606) alone or in combination.

Accordingly, Applicants respectfully submit that the rejections of claims 1, 4, 9-25, 30, 33, 36, 37 and 39 are traversed.

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CONCLUSION

In view of the remarks submitted above, it is respectfully submitted that the present claims are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present invention.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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